

**County of San Diego, Health and Human Services Agency (HHS)**  
**Cash Assistance Program for Immigrants (CAPI) Program Guide**

<b>In-Kind Support and Maintenance (ISM)</b>	<b>Number</b>	<b>Page</b>
	<b>99-103.5</b>	<b>1 of 4</b>

**A. Background:**

The table below shows definitions for terms used in this section.

<b>Term</b>	<b>Definition</b>
ISM	Food, clothing, or shelter that an applicant receives because someone else pays for it or provides it. ISM can be received from someone living: <ul style="list-style-type: none"> <li>• In the same household</li> <li>• Outside the household.</li> </ul>
Shelter	Room, rent, mortgage payments, property taxes, property insurance (if required by mortgage holder), gas, electricity, heating fuel, water, sewer, and garbage collection service.
Household	A personal place of residence in which the individual(s) share common living quarters and function as a single economic unit. For purposes of determining living arrangements and ISM, members of a household need not be related by blood or marriage, but must live together in a single dwelling and function as an economic unit. A person who is temporarily absent from the household is still a member of the household. See Desk Aid 99-102.3B for a Living Arrangements Guide.
Household Operating Expense	The household's total monthly expenditures include all shelter expenses listed in the definition of shelter, except where those expenditures are paid for someone outside the household. Food is also included as a household expense, unless the applicant/recipient purchases it separately.
Public Assistance Household	Household in which every member receives some kind of public assistance payments, such as SSI/SSP, CalWORKs, GR, or VA pension that is based on need.
Condominium, Mobile Home Space Rental and Association Fees	Not household operating expenses. However, these fees may include charges for household expenses and to the extent they are identified as such, should be counted in the computation of ISM.
Room or Rent	Not ISM if recipient is paying Current Market Rental Value (CMRV) under a business arrangement. Rent paid under business arrangement is presumed to be the CMRV unless the recipient or anyone in the household is related as either parent or child to the landlord or the landlord's spouse.
Pro-rata Share of Household Expenses	Average monthly household expenses (based on a reasonable estimate if exact figures are not available) divided by the number of people in the household, regardless of age. Contributions for household expenses must be in cash. Babysitting, housekeeping, and similar chores are not counted as valid contributions toward the household expenses.

**B. Policy:**

ISM can be applied in two different ways, as Household of Another (HOA) or as Presumed Maximum Value (PMV). The table below shows the application of each method.

**County of San Diego, Health and Human Services Agency (HHSA)  
Cash Assistance Program for Immigrants (CAPI) Program Guide**

**In-Kind Support and Maintenance (ISM)**

**Number**

**99-103.5**

**Page**

**2 of 4**

Note: These two provisions are mutually exclusive. When HOA applies, the PMV cannot be charged and vice versa. ISM cannot be charged at a rate higher than the PMV, regardless of the actual value of the food, shelter, or clothing received. ISM is unearned even when related to certain work activities in another person's home.

<b>Provision</b>	<b>Application</b>
HOA (see 4, below)	<p>The reduced needs living arrangement is applied when the individual:</p> <ul style="list-style-type: none"><li>• Lives with someone else (other than a spouse, or parent if a minor child)</li><li>• Receives both food and shelter from that person for an entire month.</li></ul> <p>The in-kind support is not actually counted as income but is applied in this situation by using the reduced needs CAPI payment standard for living in the Household of Another.</p>
PMV (see 5, below)	<p>Charged when an individual:</p> <ul style="list-style-type: none"><li>• Lives alone or has ownership or rental liability and receives ISM from someone outside the household</li><li>• Lives with someone else and receives either food or shelter, but not both, from that person.</li></ul> <p>The amount of the PMV is equal to one-third of the federal SSI rate plus \$20. See Desk Aid 99-105.1A for the current PMV for an individual and for a couple. The applicant/recipient can rebut the PMV by proving that the actual value of ISM received is less than the PMV.</p>

**1. Food/Shelter Provided as Payment:**

When food or shelter is provided as payment to a domestic or agricultural employee, or for services not in the course of the employer's trade or business, they must be counted as ISM, not wages, under federal regulations.

Example:

A CAPI applicant/recipient:

- Lives with her adult daughter
- Makes no cash contribution towards the household
- Receives both food and shelter from her daughter.

In return, the applicant/recipient baby sits her grandchildren 10 hours per day. The applicant/recipient would be subject to the HOA living arrangement, but not charged with any earned income.

**2. ISM from Within the Household:**

ISM from within the household must be developed when the individual is:

- Living in a non-public assistance household with someone other than a spouse or minor child; and
- Either has rental liability or ownership interest; and
- Is receiving contributions from others; or
- Is either purchasing food separately or earmarking food or shelter payments.

**County of San Diego, Health and Human Services Agency (HHSA)  
Cash Assistance Program for Immigrants (CAPI) Program Guide**

**In-Kind Support and Maintenance (ISM)**

**Number**

**99-103.5**

**Page**

**3 of 4**

An applicant/recipient living in a public assistance household is presumed to be sharing expenses equally and therefore:

- Is in the Independent Living Arrangement
- Does not receive ISM from within the household.

**3. ISM from Outside the Household:**

ISM from outside the household must be developed when a third party who does not live in the household makes a payment to a vendor for an item of the household's shelter or food. Two examples are rent-free shelter and rental subsidy.

Rental subsidy must be developed when the:

- Applicant/recipient has rental liability (including room rentals within someone else's home
- Someone in the household is related as parent or child to the landlord or landlord's spouse.

**4. Household of Another (HOA):**

HOA refers to one of the living arrangement categories on the CAPI payment chart. The HOA payment level is lower than the independent living payment, due to the HOA individual's reduced needs. The HOA level reflects the federal SSI payment category that has been reduced by one-third. Although HOA is a living arrangement category, it also indicates that the recipient is living in another person's household for an entire month and is receiving ISM in the form of both food and shelter from that person.

A person cannot be placed in the HOA reduced needs category if the individual:

- Has ownership interest or rental liability (i.e., legally liable for payment of rent)
- Pays a pro-rata share of the household's food and/or shelter expenses.

Note: An applicant/recipient living with others and paying a pro-rata share of the household expenses is considered to be in the independent living arrangement due to sharing, and is not receiving ISM from within the household.

**5. Presumed Maximum Value (PMV):**

PMV is charged whenever the individual is not subject to the HOA living arrangement and is receiving some form of ISM. Instead of determining the actual value of any food, clothing, or shelter received, presume that is worth a standard maximum value. This maximum value is equal to one-third of the federal SSI benefit rate, plus \$20.

See Desk Aid 99-105.1A for the current PMV values. The recipient can rebut the PMV by presenting evidence that the actual value of the ISM is less than the PMV. If the worker agrees that the actual value is less than the PMV, charge the individual with the actual value.

**C. Procedure:**

Count ISM as stated in the policies above.

**Other Program Impacts:**

None.

**County of San Diego, Health and Human Services Agency (HHSA)  
Cash Assistance Program for Immigrants (CAPI) Program Guide**

**In-Kind Support and Maintenance (ISM)**

**Number**

**99-103.5**

**Page**

**4 of 4**

**References:**

MPP 49-035.52

ACL 98-82 and 06-11

**Sunset Date:**

This policy will be reviewed for continuance on or by 05/31/2019

**Release Date:**

05/09/2016